

**CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF AN ADJOURNED REGULAR MEETING**

**WESTMINSTER, CALIFORNIA
January 22, 2003**

The City Council of the City of Westminster, California convened on January 22, 2003 at 6:00 p.m. in an Adjourned Regular Meeting in the Council Chambers, 8200 Westminster Blvd, Westminster, California.

**6:00 P.M.
CLOSED SESSION**

CALL TO ORDER:

ROLL CALL

PRESENT: RICE, PARIS, MARSH, QUACH
ABSENT: FRY (Excused)

CLOSED SESSION:

The City Council/Redevelopment Agency recessed to a Closed Session for the following purposes:

- 1) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8: Property: 14041 Newland Street; City Negotiators: City Manager Don Vestal, Director of Community Development Don Anderson, and Economic Development Manager Steve Soto; Under Negotiation: Price and Terms of Payment; and
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b), Potential Litigation (two cases).

RECESS: At 6:56 p.m., Mayor/Agency Chair Rice recessed from Closed Session.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING: The City Council/Redevelopment Agency Meeting was reconvened at 7:07 p.m. in the Council Chambers.

ROLL CALL:

PRESENT: RICE, PARIS, MARSH, QUACH
ABSENT: FRY (Excused)

SALUTE TO FLAG: City Attorney Jones

INVOCATION: City Attorney Jones

REPORT OUT OF CLOSED SESSION:

The City Attorney stated there was nothing to report out of the Closed Session, however, he said the Council received a request for a continuance from the applicant for the public hearing item.

Motion was made by Council Member Marsh, and seconded by Mayor Pro Tem Paris, to take an item out of order from the agenda; and grant the request to defer the public hearing item, "Review of Planning Commission's denial of Site Plan SP-1410/Design Review DR-361", until the next regular Council meeting on February 5, 2003 at 7:00 p.m. The motion was carried by a 4-0 vote.

SPECIAL PRESENTATIONS:

- A. Phil Anthony and Kay Barr, Directors on the Orange County Water District Board, introduced Ron Wildermuth, OCWD Public Information Officer, who gave a presentation on the Groundwater Replenishment System and a new source of water (highly treated waste water) to add to the groundwater supply. (116-02)
- B. Mayor Rice and the Council Members presented a Resolution of Commendation to retiring Reserve Police Officer, Earl Carpenter, for 38 years of dedicated service to the City. (115-00)
- C. Mayor Rice and the Council Members presented Resolutions of Commendation to First Bank & Trust employees, Ms. Sylvia Rini, Operations Supervisor, and Doreen Watkins, Teller, for preventing a theft. (115-00)
- D. Mayor Rice and the Council Members presented a Resolution of Commendation to Vong Hy Nguyen, M. D., for publication of a Cognatic Dictionary of the Vietnamese and South East Asian Languages. (115-00)
- E. Craig Mandeville gave an update on the efforts of the team who are planning a Memorial Service and Dedication Ceremony for April 27, 2003 for the unveiling of the Vietnam War Memorial statue at Sid Goldstein Freedom Park.

Mayor Rice requested that a Special Presentation item be brought onto the agenda.

Motion was made by Council Member Marsh, and seconded by Council Member Quach, to bring an additional Special Presentation item on the agenda which arose after the posting of the agenda. The motion was carried by a 4-0 vote.

Mayor Rice introduced Mary Yorba, Executive Director of Volunteer Exchange to speak about their organization. She announced that Volunteer Exchange has donated six computers to the City for the Senior Center and Project SHUE. Mary Yorba informed the Council about the organization and the work they perform for those people who need help to get back on their feet, such as low income housing assistance, providing food baskets, transportation, clothing and other charitable works. She introduced two other members of her organization, Sandie Sallans and Clyde Weinman.

1. CONSENT CALENDAR**APPROVAL OF MINUTES**

- 1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of Saturday, January 11, 2003, and Regular Meeting of the City Council/Redevelopment Agency of January 15, 2003.**

ACTION: Approved.

ROUTINE MATTERS

- 1.2 (City Council) Denial of Claims(s) Against the City from:**

1. Georgene Hanf in an unknown amount.

ACTION: The Council denied the claim filed against the City.

- 1.3 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

ACTION: Approved.

(REMOVED AND HEARD SEPARATELY)

- 1.4 Lot Line Adjustment No. 2002-03 for properties located at 8300 and 8308 Westminster Boulevard and a property located on 15th Street, approximately 287 feet east of All American Way. (201-06)**

Mayor Rice stated she did not support Item Nos. 1.4 and 1.5 and did not like the fact that she was not able to vote on the project.

Council Member Marsh stated that although he was in favor of the project, he felt that the Mayor had expressed her desire to call the project up for review by the Council, and should have been given that opportunity.

Motion was made by Council Member Marsh, and seconded by Mayor Pro Tem Paris, to accept the subject document and authorize the City Clerk to record the lot line adjustment with the County Recorder's Office. The motion was carried by a 3-1 vote, with Mayor Rice voting no.

(REMOVED AND HEARD SEPARATELY)

- 1.5 Lot Line Adjustment No. 2002-04 for properties located at 8312 and 8322 Westminster Boulevard and a property located on 15th Street, approximately 287 feet east of All American Way (201-06)**

Motion was made by Mayor Pro Tem Paris, and seconded by Council Member Quach, to accept the subject document and authorize the City Clerk to record the lot line adjustment with the County Recorder's Office. The motion was carried by a 3-1 vote, with Mayor Rice voting no.

1.6 AB-939 Integrated Waste Management Goal Attainment Annual Report – FY 2001-2002 (609-11)

ACTION: Received and filed.

1.7 Approval of Cooperative Agreement No. D02-121 with the County of Orange (502-15)

ACTION: The City Council approved the subject cooperative agreement with the County of Orange for the slurry seal of McFadden Avenue, and authorized its execution by the Mayor.

1.8 Award of Bid for the Purchase of Used Sedans and Vans for FY 2002-03 (106-00)

ACTION: The City Council authorized a purchase order for the purchase of used sedans and vans for FY 2002-03 from Ray's Auto Sales in an amount not to exceed \$50,000.

1.9 Increase the purchase order with Converse Consultants during Fiscal Year 2002-2003 for additional environmental site assessments. (502-03)

ACTION: The Agency Board approved the increase of the purchase order from \$15,000 to \$28,000 for Converse Consultants for environmental site assessments.

WARRANT REGISTER

1.10 (City Council/Redevelopment Agency) Warrant Register dated January 10 through 16, 2003. (105-09)

ACTION: Approved.

INFORMATION AND REPORTS

1.11 Community Development Monthly Activity Report – December 2002 (216-01)

ACTION: Received and filed.

Motion was made by Mayor Pro Tem Paris, and seconded by Council Member Quach, to approve the balance of the Consent Calendar with the exception of Item Nos. 1.4 and 1.5, which were removed for separate consideration. The motion was carried by a 4-0 vote.

END OF CONSENT CALENDAR**2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW****2.1 The actions of the Planning Commission meeting held on January 15, 2003**

The Community Development Director reviewed the actions of the Planning Commission at their meeting of January 15, 2003 on the following items:

- a) 13100 Melanie Lane & 5772 Garden Grove Boulevard (CUP/SP) for replacing up to 20 % of existing single mobile homes to duplex structures at Los Robles Mobile Home Park and Los Alisos Mobile Home Park.
- b) 7632 21st Street (RZ/GP/CUP/SP/DR) for constructing a 90-unit senior citizen apartment building.
- c) 16300 Beach Blvd (CUP/SP/DR/AV) for establishing a restaurant/bar with extended hours, facade changes and two signs.
- d) 14121 Enfield Cir (AA) for constructing a room addition project with a reduced rear yard setback 15' instead of 20' required setback.

The Community Development Director stated that Item "a", the applicant submitted a request for withdrawal, which was accepted by the Planning Commission.

Council Member Marsh requested that Item "d" be called up for Council review.

3. PUBLIC HEARINGS**3.1 REVIEW OF PLANNING COMMISSION'S DENIAL OF SITE PLAN SP-1410 /DESIGN REVIEW DR-361; LOCATION: 8882-92 BOLSA AVENUE; APPLICANT: DUC NGUYEN**

Time set for a public hearing to review the Planning Commission's decision to deny a proposal for adding a 4,684 square foot second floor commercial space and a 911 square foot extension of the first floor to an existing one-story commercial building within an existing shopping center.

(The public hearing item was deferred to the February 5, 2003 Council meeting by action of the Council earlier in the meeting.)

4. ORAL COMMUNICATIONS

Philip Hodgetts, 16041 Burgess Circle, and a member of the Energy Committee, stated that he continues to hold an open house for people to see his energy-saving devices. He stated that he has added a drip water system. He gave Mayor Rice written information he received from an AQMD symposium he attended.

Darrell Nolta, resident of Westminster, commented on the public hearing staff report and was concerned about the condition of the parking lot of the ABC Market. He also spoke regarding the energy crisis.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Mayor Pro Tem Paris wished everyone in the Vietnamese community a Happy Lunar New Year.

Council Member Marsh announced that his mother-in-law, Sherree Huang, passed away on Monday and he requested that the meeting this evening be adjourned in her honor.

Council Member Quach extended his condolences to Council Member Marsh on his loss; he wished everyone who celebrates a lunar year, a Happy New Year; and he invited all to attend the Tet Parade which will be held on February 1st in the Bolsa Corridor.

Mayor Rice reported that she and Mayor Pro Tem Paris recorded a program for Tet at the Vietnamese television station. She also extended her condolences to Council Member Marsh on his loss.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Amendment to the existing contract agreement with Richard Zimmer during Fiscal Year 2002-2003, in order to increase the total amount for consulting services pertaining to Community Development Block Grant (CDBG) projects, Planning, Redevelopment and Public Works projects from \$30,000 to \$55,000. (502-26)

The City Manager explained that the requested increase is budgeted and it will keep a number of the planning projects on track.

Council Member Quach inquired if the applicants pay for a portion of the consultant's fees. The City Manager responded that when there is work above and beyond the normal process, the applicant pays a portion of those fees. He added that some of the increase was not out-of-pocket for the City and others are from budgeted capital projects.

Council Member Marsh stated that he appreciates Mr. Zimmer's flexibility during such a difficult budget time.

Motion was made by Mayor Rice, and seconded by Council Member Quach, to approve the increased total amount for consulting services with Richard Zimmer from \$30,000 to \$55,000 with no change to the current hourly rate. The motion was carried by a 4-0 vote.

- 6.2 Special Event Permit Application from the Nguoi Viet Daily News, Saigon TV and VNCR Radio to hold a Tet New Year Celebration on Friday, January 31, 2003 on property located at 14771-14776 Moran Street between the hours of 5:00 p.m. and 9:00 p.m. (213-02)**

Motion was made by Mayor Pro Tem Paris, and seconded by Council Member Quach, to approve the Special Event Permit subject to the conditions attached to the staff report. The motion was carried by a 4-0 vote.

The City Manager requested that the rules be suspended and bring an urgency item onto the agenda.

URGENT ITEM – Budget Amendment to State AB 2928 Funded Street Repair Project (105-11)

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Paris, to bring an urgency item onto the agenda which arose after the agenda was posted and requires action before the next Council meeting. The motion was carried by a 4-0 vote.

The City Manager advised the Council that the City received an allocation of AB 2928 funds, some of which was proposed to be withheld. The recommendation is to encumber it with "Pavement Improvements to the Cedarwood Street Area".

Motion was made by Council Member Quach, and seconded by Council Member Marsh, to approve a budget increase of \$69,662.54 from Fund 214 balance to Project No. 55037-021019, Street and Right-of-Way Repairs. The motion was carried by a 4-0 vote.

The City Manager advised the Council that the legislative consultants from Washington, D.C. will be available on February 5, 2003 and could meet with the Council at the time of the scheduled closed session time of 6:00 p.m. He suggested that when the Council adjourns their meeting of February 3rd, that it be adjourned to a meeting with the legislative consultants and to reconvene in closed session following the open session on February 5th.

Motion was made by Mayor Pro Tem Paris, and seconded by Council Member Quach, to adjourn the adjourned regular meeting of February 3, 2003 to a meeting with the legislative consultants at 6:00 p.m. on February 5, 2003. The motion was carried by a 4-0 vote.

7. WRITTEN COMMUNICATIONS (Public)

7.1 Waiver of Rental Fees/Community Services Building (702-06)

RECOMMENDATION: That the City Council take under consideration a request from Toastmasters International for waiver of rental fees for the use of the Community Services Building, Rooms A/B, on February 8, 2003 from 1:00 p.m. to 4:00 p.m. for their Officers Training.

(See Item No. 7.2 for motion.)

7.2 Waiver of Rental Fees/Community Services Building (702-06)

RECOMMENDATION: That the City Council take under consideration a request from the Westminster Chorale for waiver of rental fees for the use of the Community Services Building, East/West Rooms, on May 10, 2003 from 5:00 p.m. to 10:00 p.m. for their Spring Concert.

Mayor Rice stated that she would be in favor of approving both requests from Toastmasters International and the Westminster Corale for waiving rental fees, but in the future she said it may become necessary to charge the fee.

Motion was made by Mayor Rice, and seconded by Mayor Pro Tem Paris, to approve both requests from Toastmasters International and the Westminster Chorale to waive rental fees for their events. The motion was carried by a 4-0 vote.

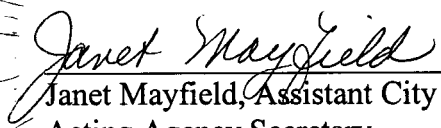
8. LEGISLATIVE ITEMS - None

9. COMMISSION AND COMMITTEE ITEMS

9.1 Appointments to City Commissions and Committees (104-00)

Motion was made by Mayor Pro Tem Paris, and seconded by Mayor Rice, to appoint Crystal Wadsworth and Theresa Kasprzyk to the Community Advisory Group, for a two-year term ending November, 2004. The motion was carried by a 4-0 vote.

10. COUNCIL/AGENCY ADJOURNMENT: At 8:28 p.m. Mayor Rice adjourned the meeting to Monday, February 3, 2003 at 5:30 p.m. in the Council Chambers, 8200 Westminster Blvd., Westminster, California, for the purpose of hearing presentations from non-profit agencies and city departments applying for 2003 Community Development Block Grant (CDBG) and HOME Block Grant funding, in memory of Sherree Huang and former Finance Director Olinto Ricci.


Janet Mayfield, Assistant City Clerk/
Acting Agency Secretary